

THE OLMSTEAD DECISION & HOUSING PERSONS WITH DISABILITIES

The 1999 Supreme Court-mandated [Olmstead Decision](#) states that persons with disabilities who are living in institutions but are able to live in less restrictive settings in the community must be given that opportunity. However, persons with disabilities are disproportionately poor compared to the rest of the population – particularly when they receive Supplemental Security Income (SSI) benefits, which, at [\\$733 per month](#) or [\\$4.58 per hour](#), fall far short of the full-time hourly wage needed to afford a one-bedroom rental at [Fair Market Rent \(FMR\)](#) in any Indiana statistical metropolitan area (Figure 1).

Figure 1: Housing Wage Needed for 1 Bedroom Rental at Fair Market Rent



For low-income persons with disabilities, housing must be subsidized to be affordable—that is, either developed through programs such as [Low-Income Housing Tax Credits \(LIHTC\)](#), or rented using a [Housing Choice Voucher](#) (Section 8) or other rental subsidy program. **Low-income persons with disabilities face considerable challenges finding affordable rental units** throughout the 16 selected MSAs – for those on SSI, a rent considered affordable (defined as 30% of income) is less than half the FMR in any of the MSAs (Figure 2). Even LIHTC unit rents set at 30% of Area Median Income in these areas are too high to be affordable to SSI beneficiaries. Thus, low-income persons with disabilities in particular may have very few **choices** when it comes to living in the least restrictive setting possible.

Figure 2: Rental Housing Costs as a Percent of SSI Income

